

FILED IN OPEN COURT
U.S.D.C. - Atlanta

OCT 15 2024

KEVIN P. WEIMER, Clerk
By:  Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 1:24-CR-280

HELEONEL GONZALEZ

CRIMINAL INFORMATION

The United States Attorney charges that:

1. From in or about January 2023 through in or about January 2024, in the Northern District of Georgia and elsewhere, the Defendant, HELEONEL GONZALEZ, aided and abetted by others, knowingly executed, attempted to execute, and participated in a scheme and artifice to defraud Peach State Federal Credit Union, a credit union whose accounts were then insured by the National Credit Union Share Insurance Fund, and to obtain moneys and funds owned by and under the custody and control of Peach State Federal Credit Union, by means of materially false and fraudulent pretenses, representations, and promises, and by the omission of material facts.

Background

2. At all times material to the scheme to defraud:
 - (a) P1 Finance—a division of Peach State Federal Credit Union—loaned money to commercial borrowers, such as condominium associations, so that the borrowers could use the loan proceeds to pay the premiums on their property and casualty insurance policies; and
 - (b) Defendant GONZALEZ owned and operated Sharp Insurance Agency, Inc. in Miami Lakes, Florida.

The Scheme and Artifice to Defraud

3. On at least 20 separate occasions, for the purpose of influencing the actions of Peach State Federal Credit Union:
 - (a) Defendant GONZALEZ falsely and fraudulently represented to P1 Finance that a customer of Sharp Insurance Agency had authorized him to apply for a premium-financing loan on the customer's behalf;
 - (b) Defendant GONZALEZ fraudulently signed and submitted to P1 Finance a Premium Finance Agreement and Disclosure Statement, which falsely represented that Sharp Insurance

Agency, as the agent of Citizens Property Insurance Corporation in Jacksonville, Florida, had issued a property and casualty insurance policy to the customer, and that the policy was in force and effect; and

(c) Defendant GONZALEZ fraudulently represented that the loan proceeds advanced by P1 Finance would be used to pay the premiums on the policy, and for no other purpose.

4. Defendant GONZALEZ knew and had reason to know when he made those representations that they were not true.
5. As a result of Defendant GONZALEZ's false and fraudulent representations, Peach State Federal Credit Union made the requested loans and transferred to Defendant GONZALEZ's custody and control more than \$3.5 million.
6. Defendant GONZALEZ used the loan proceeds to pay his personal debts and expenses.
7. Peach State Federal Credit Union would not have made the loans if it had not been for Defendant GONZALEZ's false and fraudulent representations.

Execution of the Scheme

8. On or about September 20, 2023, in the Northern District of Georgia and elsewhere, for the purpose of executing and attempting to execute the scheme and artifice to defraud Peach State Federal Credit Union, and to obtain moneys and funds owned by and under the custody and control of Peach State Federal Credit Union, Defendant GONZALEZ, aided and abetted by others, signed and submitted to P1 Finance a false and fraudulent Premium Finance Agreement and Disclosure Statement in the name of 360 Community Association.

All in violation of Title 18, United States Code, Section 1344 and Section 2.

Forfeiture Provision

9. Upon conviction of the offense alleged in this Criminal Information, the Defendant, HELEONEL GONZALEZ, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the violation, including, but not limited to, the following:

- (a) MONEY JUDGMENT: A sum of money in United States currency, representing the amount of proceeds obtained as a result of the offense alleged in this Criminal Information.
 - (b) REAL PROPERTY: Real Property known as 6707 Purple Poppy Ln, Park City, UT 84098, together with all appurtenances thereto, improvements thereon, furnishings and fixtures, more particularly described as follows: Lot 35, Silver Creek Village Center Lot 8 Phase L Subdivision, Park City, Utah, according to the official plat thereof on file and of record in the Summit County Recorder's Office, Utah. (Parcel Number: SCVC-8-P1-35.)
10. If, as a result of any act or omission of Defendant GONZALEZ, any property subject to forfeiture
- (a) cannot be located upon the exercise of due diligence,
 - (b) has been transferred or sold to, or deposited with, a third party,
 - (c) has been placed beyond the jurisdiction of the Court,
 - (d) has been substantially diminished in value, or
 - (e) has been commingled with other property which cannot be divided without difficulty,

the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of Defendant GONZALES up to the value of the forfeitable property.

RYAN K. BUCHANAN

United States Attorney



JOHN RUSSELL PHILLIPS

Assistant United States Attorney

Georgia Bar No. 576335

600 U.S. Courthouse
75 Ted Turner Drive SW
Atlanta, GA 30303
(404) 581-6000
russell.phillips@usdoj.gov